

## **EXHIBIT 4**

FERRY COUNTY  
JUN 11 2012  
8:00AM  
JEAN BOOHER

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13 **IN THE SUPERIOR COURT OF FERRY COUNTY, STATE OF WASHINGTON**

14  
15 **IN RE:**

**Case No. 11-2-00098-6**

16  
17 **CONNOR, JOSEPH A III**  
18 **Plaintiff**

**PLAINTIFF'S REQUEST FOR  
CLARIFICATION AS TO OPERATION  
OF THE AUTOMATIC STAY IN  
DEFENDANTS' BANKRUPTCY UNDER  
11 US CODE, 362**

19  
20 **V**

21  
22 **GMAC MORTGAGE, LLC, et al**  
23 **Defendants**

**Judge: A Nielson**

**No Hearing Requested**

24  
25  
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27  
28 **PLAINTIFF'S REQUEST TO COURT**

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30 **1. On 14 May 2012, Residential Capital, LLC, dba GMAC Mortgage, LLC, was granted**  
31 **relief by the US Bankruptcy Court, District of Southern New York (Manhattan).**

32  
33  
34 **The Case No. is 12-12020.**

35  
36 **2. On 16 May 2012, Defendants' attorney notified Plaintiff of the GMAC Chapter 11**  
37 **petition and advised Plaintiff that both his claims against GMAC were stayed, attachment 1.**

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39  
40 **3. Defendant Executive Trustee Services, LLC was also granted relief under the same**

41  
-Plaintiff's Request for Clarification at to  
Operation of the Automatic Stay in  
Defendants' Bankruptcy Under 11 US Code, 362

Joseph A Connor III  
PO Box 1474  
Cobb, CA 95426  
707-809-7093  
Pro se Plaintiff

44

1 petition.

2  
3 4. The Court was notified of the GMAC Mortgage bankruptcy action on 18 May by  
4  
5 both the Plaintiff and Defendants' attorney prior to hearing any matters before it. The  
6  
7 Court chose to move ahead on the matters at hand, matters involving the Plaintiff and GMAC  
8  
9 Mortgage, LLC, without making any determination as to whether or not the Automatic Stay  
10  
11 applied or did not apply to the Court's authority to rule on said matters, or as to whether the  
12  
13 Automatic Stay applied to those matters.

14  
15 5. Ally Financial, Inc, the parent company of GMAC Mortgage, LLC did not petition the  
16  
17 Bankruptcy for relief, but its status vis-à-vis the stay is unclear.

18  
19 a. Ally Financial, GMAC Mortgage and Residential Capital are essentially extensions of  
20  
21 each other. The three corporations have failed to maintain each its own independence. Ally  
22  
23 is a director of both GMAC Mortgage and Residential Capital.

24  
25 b. Ally Financial put GMAC Mortgage/Res Cap into Chapter 11. Ally's CEO, Michael  
26  
27 Carpenter announced Ally's action to the world, declaring that the purpose of the Res Cap/  
28  
29 GMAC Mortgage Chapter 11 petition was to end the drag on Ally (Detroit Free Press,  
30  
31 14 May 2012). In 2011, Ally Financial lost \$402 million tied to Res Cap/GMAC Mortgage, *ibid*.

32  
33 c. Whether the automatic stay will operate to protect Ally Financial is a matter for the  
34  
35 Bankruptcy Court, but as of now that protection is up in the air.

36  
37 6. Defendants' attorney now informs Plaintiff that he will appear on 8 June 2012, via  
38  
39 Court Call to pursue a Motion for Summary Judgment and a Motion for Sanctions on behalf  
40  
41 of Defendants MERS, Karen Balsano, Ally Financial and LSI Title Agency, attachments 2 & 3.

-Plaintiff's Request for Clarification at to  
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Pro se Plaintiff

1 7. Plaintiff's requests to appear in the Summary Judgment matter via Court Call were  
2  
3 expressly denied by the Court Administrator, Evelyn Bell, on at least three occasions (citing no  
4  
5 particular authority). Ms Bell can be summoned if necessary to assure the Court of her  
6  
7 information to the Plaintiff that all parties to a Summary Judgment Motion must appear in  
8  
9 person or must appear in person before the Court via counsel.

10  
11 8. None of the Defendants in # 6 was mentioned (Karen Balsano excepted) in Defendants'  
12  
13 20 April 2012 filing.

14  
15 9. Mortgage Electronic Registration Systems, LLC (MERS) was not a party to Defendants'  
16  
17 20 April 2012 submissions to the Court. Plaintiff asks the Court to note Defendants' attorney,  
18  
19 William G Fig's, initial Notice of Appearance, attachment 4. It does not include MERS.

20  
21 10. MERS does not appear until 11 May 2012, attachment 5, after the Plaintiff notified Mr  
22  
23 Fig that MERS was not his client and had in fact, made no appearance in Case No 11-2-00098-6  
24  
25 in Ferry County Superior Court. MERS has yet to respond to any part of Plaintiff's  
26  
27 complaint. Defendants' attorney has once again attempted to deceive the Court.

28  
29 11. Without the participation of GMAC Mortgage, LLC, this case makes little sense.  
30  
31 Without GMAC Mortgage, Plaintiff has no possible defense against Defendants'  
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33 Summary Judgment and Sanctions Motions, despite the fact that Paragraph 9 of the Settlement  
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35 Agreement between Plaintiff and Defendants sanctions Plaintiff's second claim of his  
36  
37 Amended Complaint.

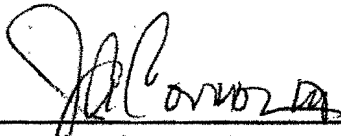
38  
39 12. For the record, Plaintiff asks the Court for clarification as to what is and is not stayed  
40  
41 by the operation of 11 US Code, 362(a) in the relief granted Res Cap, GMAC Mortgage, LLC,  
-Plaintiff's Request for Clarification at to  
Operation of the Automatic Stay in  
Defendants' Bankruptcy Under 11 US Code, 362

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1  
2 ETS, LLC and possibly Ally Financial, Inc., as that stay applies to Plaintiff's case, now pending  
3  
4 before this Court. To what does the stay apply and to what does it not apply, and to who does  
5  
6 it apply and to who does it not apply?  
7

8 13. Plaintiff will not expose himself to any possible violations of the Automatic Stay  
9  
10 without such clarification by the Court.  
11

12  
13 Dated: 5 June 2012

  
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Joseph A Connor III, Pro se Plaintiff

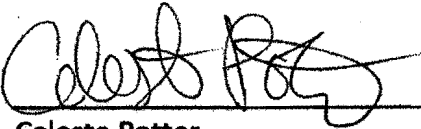
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16  
17 CERTIFICATE OF SERVICE

18  
19 I CERTIFY under penalty of perjury that I caused the foregoing Request by Plaintiff for  
20

21 Clarification to be mailed via 1<sup>st</sup> Class US Mail, Postage Prepaid to:

22  
23 William G Fig  
24 1000 SW Broadway, Suite 1400  
25 Portland, Oregon 97205  
26

27  
28 Dated: 5 June 2012

  
\_\_\_\_\_  
Celeste Potter

29  
  
-Plaintiff's Request for Clarification at to  
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